



09-30-04

3764  
LW/B

Express Mail Label No. EV 432 689 097 US

PATENT APPLICATION  
Docket No: 13914.632

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of	)	
	)	
Dalebout et al.	)	
	)	
Serial No.:	)	Art Unit
09/737,392	)	3764
Filed:	)	
December 15, 2000	)	
Confirmation No.:	)	
1890	)	
For:	)	
SELECTIVELY DYNAMIC EXERCISE PLATFORM	)	
Examiner:	)	
Lori Baker Amerson	)	

CERTIFICATE OF MAILING UNDER 37 C.F.R. § 1.8

I hereby certify that the following documents are being deposited with the United States Postal Service as first class mail, postage prepaid, in an envelope addressed to: Mail Stop: AMENDMENT, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on this 29 day of September, 2004:

- Transmittal for Supplemental Information Disclosure Statement (3 pgs.) (in duplicate)
- Supplemental Information Disclosure Statement (2 pgs.)
- Form PTO-1449 (1 pg.)
- Copies of 5 references
- Postcard

Respectfully submitted,

Linda Clark, Assistant to  
David B. Dellenbach  
Attorney for Applicant  
Registration No. 39,166  
Customer No. 022913

Telephone No. (801) 533-9800

R. PARRISH FREEMAN, JR.  
PETER F. MALEN, JR.  
L. REX SEARS, PH.D.  
WILLIAM R. RICHTER  
ERIC M. KAMERATH  
ROBERT E. AYCOCK  
JENS C. JENKINS  
KEVIN W. STINGER  
WILLIAM J. ATHAY  
MICHAEL B. DODD  
RYAN D. BENSON  
SARA D. JONES  
TIGE KELLER  
JANNA L. JENSEN  
MATTHEW D. TODD  
J. LAVAR OLDHAM  
MICHAEL J. FRODSHAM  
JOSEPH L. KRUPA  
BRETT A. HANSEN  
BRETT I. JOHNSON  
MATTHEW A. BARLOW  
WESLEY C. ROSANDER  
ANDREW S. HANSEN  
CHAD E. NYDEGGER  
JOSEPH G. PIA  
CLINTON E. DUKE  
DAVID J. LORENZ †  
RYAN N. FARR \*  
JAMES B. BELSHE



**INTELLECTUAL PROPERTY ATTORNEYS**

Express Mail Label No. EV 432 689 097 US

PATENT APPLICATION  
Docket No: 13914.632

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of

Dalebout et al.

**Serial No.:**

09/737,392

Art Unit  
3764

**Confirmation No.:**

1890

**Filed:**

December 15, 2000

For:

## SELECTIVELY DYNAMIC EXERCISE PLATFORM

**Examiner:**

Lori Baker Amerson

## TRANSMITTAL FOR SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

**Mail Stop: AMENDMENT  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450**

Sir:

Transmitted herewith for filing and pursuant to 37 C.F.R. § 1.97 is an Information Disclosure Statement, which includes the following statements, if any, required variously by 37 C.F.R. § 1.98:

— Statement of relevance of selected cited references not in the English language which are not translated.

— Statement that selected cited references are substantially cumulative of an enclosed or previously submitted reference.

\_\_\_\_ Statement that selected cited references were previously cited by or submitted to the earlier filing date under 35 U.S.C. § 120.

A. Additional Materials Required Due to Content of Information Disclosure Statement

Transmitted are the following documents in addition to the Information Disclosure Statement as required variously under 37 C.F.R. § 1.98:

☒ Form PTO-1449 listing 5 references submitted for consideration.

☒ Copies of the 5 references listed on the Form PTO-1449.

☐ English translations as indicated on the Form PTO-1449 of the references which are not in the English language.

☐ Copies of the following documents from the prosecution of a previous, related application:

☐ Form PTO-1449 AND INFORMATION DISCLOSURE STATEMENT; and

☐ Form PTO-892

B. Additional Materials Required Due to Timing of Filing of Information Disclosure Statement

The transmitted Information Disclosure Statement is being filed within one (1) of the following four (4) time periods:

I. ☒ Prior to the later of either three (3) months following the filing date or the mailing of a first Office Action. Accordingly, no materials other than those listed above are enclosed.

II. ☐ Following the latter of either three (3) months following the filing date or the mailing of a first Office Action, but before the mailing of a final Office Action or a Notice of Allowance. Accordingly, to secure consideration thereof, one (1) of the following is also enclosed:

☐ Promptness Certification; or

☐ Credit Card Form PTO 2038 in the amount of \$180.00 constituting the submission fee set forth in 37 C.F.R. § 1.17(p).

III. ☐ After the mailing of a Notice of Allowance, but before payment of the Issue Fee. Accordingly, in order to secure consideration thereof, each of the following are also enclosed:

☐ Promptness Certificate;

☐ Petition for Consideration; and

☐ Check No. in the amount of \$\_\_\_\_\_ constituting the petition fee set forth in 37 C.F.R. § 1.17(i)(1).

IV. \_\_\_\_\_ After payment of the Issue Fee. Accordingly, in order to secure consideration thereof, each of the following are also enclosed:

\_\_\_\_\_ Petition to Withdraw from Issue; and

\_\_\_\_\_ Check No. \_\_\_\_\_ in the amount of \$ \_\_\_\_\_ constituting the petition fee set forth in 37 C.F.R. § 1.17(i)(1).

C. Fees

The Commissioner is hereby authorized to charge payment of or any deficiency in the following fees associated with this communication, or to credit any overpayment thereof, to Deposit Account No. 23-3178. A duplicate copy of this letter is enclosed.

X Any fee required in relation to filing of this letter or any documents transmitted therewith.

\_\_\_\_\_ The submission fee set forth in 37 C.F.R. § 1.17(p) in the event that 37 C.F.R. § 1.97(c) applies and the Examiner is not satisfied that any Promptness Certificate submitted meets the requirements of 37 C.F.R. § 1.97(e).

\_\_\_\_\_ The submission fee set forth in 37 C.F.R. § 1.17(p).

\_\_\_\_\_ The petition fee set forth in 37 C.F.R. § 1.17(i)(1).

Dated this 27 day of September, 2004.

Respectfully submitted,



David B. Dellenbach  
Attorney for Applicant  
Registration No. 39,166  
**Customer No. 022913**  
Telephone No. (801) 533-9800



Express Mail Label No. EV 432 689 097 US

PATENT APPLICATION  
Docket No: 13914.632

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of		)	
	Dalebout et al.	)	
Serial No.:	09/737,392	)	Art Unit
Filed:	December 15, 2000	)	3764
Confirmation No.:	1890	)	
For:	SELECTIVELY DYNAMIC EXERCISE PLATFORM	)	
Examiner:	Lori Baker Amerson	)	

SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT  
UNDER 37 C.F.R. § 1.97

Mail Stop: AMENDMENT  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, Virginia 22313-1450

Sir:

Please find, pursuant to 37 C.F.R. § 1.98(a)(1), the enclosed Form PTO-1449 which contains a list of all patents, publications, or other items that have come to the attention of one or more of the individuals designated in 37 C.F.R. § 1.56(c). While no representation is made that any of these references may be "prior art" within the meaning of that term under 35 U.S.C. §§ 102 or 103, the enclosed list of references is disclosed so as to fully comply with the duty of disclosure set forth in 37 C.F.R. § 1.56.

Moreover, while no representation is made that a specific search of office files or patent office records has been conducted or that no better art exists, the undersigned attorney of record believes that the enclosed art is the closest to the claimed invention (taken in its entirety) of which

the undersigned is presently aware, and no art which is closer to the claimed invention (taken in its entirety) has been knowingly withheld.

In accordance with 37 C.F.R. §§ 1.97 and 1.98, a copy of each of the listed references or relevant portion thereof is also enclosed.

Please credit any over payment or charge any additional fees to Deposit Account No. 23-3178 of the undersigned.

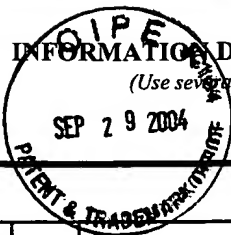
Dated this 29 day of September, 2004.

Respectfully submitted,



David B. Dellenbach  
Attorney for Applicant  
Registration No. 39,166  
**Customer No. 022913**

DBD/lrc  
LC0000001683V001

**INFORMATION DISCLOSURE CITATION***(Use several sheets if necessary)*

Docket Number (Optional)

13914.632

Application Number

09/737,392

Applicant(s)

Dalebout, et al.

Filing Date

December 15, 2000

Group Art Unit

3764

**U.S. PATENT DOCUMENTS**

*EXAMINER INITIAL	REF	DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
	1	4,739,986	4/1988	Kucharik, et al.	272	96	
	2	5,330,399	7/1994	Fan	482	34	
	3	5,667,462	9/1997	Gordon	482	80	
	4	US2003/0195096 A1	10/2003	Hecox, et al.	482	147	

**FOREIGN PATENT DOCUMENTS**

	REF	DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUBCLASS	Translation	
							YES	NO

**OTHER DOCUMENTS** *(Including Author, Title, Date, Pertinent Pages, Etc.)*

	1	Pages from Office Action mailed September 8, 2004 in U.S. Patent Application Serial No. 10/446,778, filed May 29, 2003 (5 total pages).

EXAMINER

DATE CONSIDERED

EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP Section 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.